

#### **405 KAR 18:260. Other facilities.**

RELATES TO: KRS 350.020, 350.028, 350.151, 350.465

STATUTORY AUTHORITY: KRS 350.028, 350.465

NECESSITY, FUNCTION, AND CONFORMITY: KRS Chapter 350 requires the cabinet to promulgate administrative regulations establishing performance standards for protection of people and property, land, water and other natural resources, and aesthetic values, during underground mining activities and for restoration and reclamation of surface areas affected by underground mining activities. This administrative regulation establishes general requirements for the design, construction, and maintenance of support facilities and transportation facilities other than roads, and the restoration of areas affected by these facilities.

Section 1. Other Transportation Facilities. Railroad loops, spurs, sidings, surface conveyor systems, chutes, aerial tramways, or other transport facilities within the permit area shall be designed, constructed, and maintained, and the area restored to:

- (1) Prevent, to the extent possible using the best technology currently available:
  - (a) Damage to fish, wildlife, and related environmental values; and
  - (b) Additional contributions of suspended solids to stream flow or run off outside the permit area. Any such contribution shall not be in excess of limitations of state or federal law.
- (2) Control and minimize diminution or degradation of water quality and quantity;
- (3) Control and minimize erosion and siltation;
- (4) Control and minimize air pollution; and
- (5) Prevent damage to public or private property.

Section 2. Support Facilities and Utility Installations. (1) Support facilities required for, or used incidentally to, the operation of the underground mine, including mine buildings, coal-loading facilities at or near the mine site, coal storage facilities, equipment-storage facilities, fan buildings, hoist buildings, preparation plants, sheds, shops, and other buildings, shall be designed, constructed, and located to prevent or control erosion and siltation, water pollution, and damage to public or private property. Support facilities shall be designed, constructed, maintained, and used in a manner that shall prevent, to the extent possible, using the best technology currently available:

- (a) Damage to fish, wildlife, and related environmental values; and
  - (b) Additional contributions of suspended solids to stream flow and run off outside the permit area. Contributions shall not be in excess of limitations of state or federal law.
- (2) All underground mining activities shall be conducted in a manner that minimizes damage, destruction, or disruption of services provided by oil, gas, and water wells; oil, gas, and coal-slurry pipelines; railroads; electric and telephone lines; and water and sewage lines that pass over, under, or through the permit area or shadow area, unless otherwise approved by the owner of those facilities and the cabinet. (8 Ky.R. 1586; eff. 1-6-1983; 44 Ky.R. 655, 1327; eff. 1-5-2018; Crt eff. 7-3-2018.)